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August 12, 2010

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Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

**Re: *Ex Parte*, CS Docket No. 97-80, PP Docket No. 00-67, MB Docket
No. 10-91**

Dear Ms. Dortch:

This is to inform you that on August 11, 2010, Matthew Zinn, Senior Vice President, General Counsel, Secretary & Chief Privacy Officer, TiVo Inc. ("TiVo") and the undersigned met with Deputy Bureau Chief Kris Monteith, Nancy Murphy, Mary Beth Murphy, Steven Broeckaert, Brendan Murray, and Alison Neplokh, all of the Media Bureau, and, later, with Paul de Sa, Chief of the Office of Strategic Planning and Policy Analysis.

We stressed the arguments made in the comments and reply comments filed by TiVo in response to the *Fourth Further Notice of Proposed Rulemaking* in CS Docket No. 97-80 and PP Docket No. 00-67, FCC 10-61 ("*CableCARD FNPRM*").

Specifically, we discussed:

- The importance of making the CableCARD work more effectively with today's technology, rather than waiting for a possible future solution. CableCARD is the only solution available today that enables a retail

market for competitive devices to view linear programming, as envisioned by Section 629.

- The need for the Commission to follow through on cable operators' commitment to CableCARD self-installation by adopting generally applicable rules that would remove one of the major impediments to the use of retail CableCARD devices.
- The need for the Commission to end price discrimination against competitive devices that effectively forces subscribers who "bring their own" set-top box to pay twice.
- The importance of ensuring that competitive set-top boxes can access switched digital video channels.
- The need for better enforcement of the existing CableCARD rules.

We also touched briefly on the *Notice of Inquiry* in the above-captioned dockets, FCC 10-60 ("*Gateway NOI*"). We discussed the importance of user interface differentiation for smart video devices, and the misapprehension on the part of certain commenters that aggregation of metadata to present users with a selection of content choices available to them in the context of a search equates to a disaggregation of services.

Please direct any questions regarding this matter to the undersigned.

Respectfully,



Devendra T. Kumar
Attorney for TiVo Inc.

cc: Paul de Sa
Kris Monteith
Nancy Murphy
Mary Beth Murphy
Steve Broeckaert
Brendan Murray
Alison Neplokh